

**U.S. Probation & Pretrial Services Office  
Western District of New York  
Position Description**

<b>Job Title/Classification Level</b>	Sentencing Guidelines Specialist CL 29
<b>Occupational Group</b>	Professional Line

**Job Summary**

By statute, the probation/pretrial services officer serves in a judiciary law enforcement position, assists in the administration of justice and promotes community safety, gathers information, supervises offenders/defendants, interacts with collateral agencies, prepares reports, conducts investigations, and presents recommendations to the court. The officer may guide the work of probation officer assistants and other staff. The officer specialist performs duties that involve both general probation/pretrial services cases and specialized types of offenders/defendants. The Sentencing Guidelines Specialist serves as the district's authority on presentence investigations and sentencing guidelines.

**Representative Duties**

- Perform investigative and supervision responsibilities for defendants/offenders in both general and specialized cases. Conduct investigations and prepare reports for the court with recommendations, which require interviewing offenders/defendants and their families, as well as collecting background data from various sources. An integral part of this process is the interpretation and application of policies and procedures, statutes, *Federal Rules of Criminal Procedures*, and may include U.S. Sentencing Guidelines and relevant case law.
- Track developments in the law, and update staff and the court. Enforce court-ordered supervision components and implement supervision strategies. Maintain personal contact with defendants and offenders through office and community contacts and by telephone. Investigate employment, sources of income, lifestyle, and associates to assess risk and compliance. Address substance abuse, mental health, domestic violence, and similar problems and implement the necessary treatment or violation proceedings, through assessment, monitoring, and counseling.
- Schedule and conduct drug use detection tests and DNA collection of offenders/defendants, following established procedures and protocols. Maintain paper and computerized records of test results. Maintain chain of custody of urinalysis testing materials. Respond to judicial officer's request for information and advice. Testify in court as to the basis for factual findings and (if warranted) guideline applications. Serve as a resource to the court. Maintain detailed written records of case activity. May conduct surveillance and/or search and seizure at the direction of the court.
- Investigate and analyze financial documents and activities and take appropriate action. Interview victim(s) and provide victim impact statements to the court. Ensure compliance with Mandatory Victims Restitution Act. Responsible for enforcement of home confinement conditions ordered by the court.
- Serve as district authority on sentencing and sentencing guidelines issues. Maintain current knowledge of case law and Sentencing Commission, Administrative Office, and local policies and procedures pertaining to sentencing. Maintain up-to-date district-wide resource materials relating to the sentencing process.
- Train district staff, law enforcement agencies, U.S. Attorney's staff, and/or defense attorneys on sentencing guidelines and sentencing matters, including new developments in sentencing issues, guideline amendments, case law, etc.
- Serve as the lead with district presentence groups by conducting regularly scheduled meetings. Serve as the group's representative to management and address any group issues of concern during management meetings.
- Complete presentence investigations for cases involving extremely complex issues and/or cases of unusual notoriety (e.g., white collar, organized crime, large conspiracy drug cases, and criminal organizations).
- Conduct the investigation on the lead and/or the "most culpable" defendant in multi-defendant cases and

coordinate the preparation of the offense conduct section of the presentence reports in applicable cases. Coordinate the preparation of the victim impact portion of the presentence report in multi-defendant cases, when assigned lead responsibilities in such cases.

- Serve as expert in the use of Westlaw and Lexis and act as trainer for district staff in research procedures. Service as district representative/liaison with Westlaw and Lexis.
- Serve as a consultant to presentence officers as problems arise during the course of an investigation and/or during preparation of a presentence report, in the absence of, or at the request of a SUSPO.
- Demonstrate and maintain proficiency in financial investigation techniques and assist other officers with these matters, as requested. Maintain resource materials for the district relating to financial investigations. Train district staff on financial matters.
- Serve as resource to SUSPOs by reviewing presentence reports and/or sentencing litany prepared by officers, and make appropriate recommendations for addressing any performance review concerns.
- Update policy and procedures related to the investigation and preparation of presentence reports and provide related training to staff at least annually.
- Perform administrative duties related to presentence investigations and sentencing guidelines.

### **Factor 1 - Required Competencies (Knowledge, Skills, and Abilities)**

#### **Probation and Pretrial Services**

- Knowledge of the roles and functions of the federal probation office, including knowledge of the legal requirements, practices and procedures used in probation/pretrial and parole. Knowledge of the roles, responsibilities, and relationships among the federal courts, U.S. Parole Commission, U.S. Marshals Service, Bureau of Prisons, U.S. Attorney's Office, Federal Public Defender's Office, and other organizations. Broad knowledge of sentencing, sentencing guidelines, statutes, *Federal Rules of Criminal Procedure* and applicable case law. Expert knowledge of resources available in specialized area.
- Knowledge of how other judicial processes and procedures relate to the officer's roles and responsibilities. Knowledge of federal law and the criminal justice system particularly as it relates to federal probation/pretrial and parole policies and procedures. Knowledge of surrounding community and available community resources.
- Knowledge of case law, and Sentencing Commission, Administrative Office and local policies and procedures pertaining to sentencing. Knowledge of cases and case law involving cases of unusual notoriety (e.g., white collar, organized crime, large conspiracy drug cases, and criminal organizations). Skill in evaluating and applying sentencing guidelines. Skill in reviewing presentence reports and/or sentencing litany prepared by officers, and make appropriate recommendations. Ability to train officers in sentencing guidelines policies, procedures, and practices. Ability to provide guidance to other officers, the court, and other agencies regarding sentencing guidelines.
- Knowledge of automated/internet resources and systems available for conducting background checks, criminal histories, and other similar information (such as the National Crime Information Center).
- Knowledge of investigative techniques and skill in investigating offenders'/defendants' backgrounds, activities, finances, and determining legitimacy of their income. Knowledge of the *Bail Reform Act*. Knowledge of techniques in supervising offenders/defendants. Skill in supervising offenders/defendants, risk assessment, and developing appropriate alternatives and sanctions to non-compliant behavior. Knowledge of legal terminology.
- Skill in conducting legal research related to varied, complex, and difficult legal issues, regarding sentencing and supervision. Skill in analyzing and summarizing legal concepts and issues. Skill in legal reasoning and critical thinking. Skill in dealing with violent and/or difficult people. Skill in counseling offenders/defendants to maintain compliance to conditions of their release. Ability to follow safety procedures. Ability to compile and summarize information (such as background checks and criminal histories) within established time frames. Ability to discern deception and act accordingly.
- Ability to organize, prioritize work schedule, work independently with little or no supervision, and to exercise discretion. Ability to work under pressure of short deadlines.

**Judgment and Ethics**

- Knowledge of and compliance with the *Code of Conduct for Judicial Employees* and court confidentiality requirements. Able to consistently demonstrate sound ethics and judgment.

**Written and Oral Communication/Interaction**

- Skill in communicating (orally and in writing) and working with judges, attorneys, and other law enforcement and correctional agencies. Ability to interact and communicate effectively with people of diverse backgrounds, including law enforcement and collateral agency personnel at different government levels, community service providers, and offenders/defendants. Ability to write concisely while being factual and clear. Ability to interview and establish rapport with contacts at collateral agencies, offenders/defendants and their families/support systems, and others for the purpose of supervision, investigation, and job placement/development guidance.

**Information Technology**

- Skill in the use of automated equipment including word processing, spreadsheet, and database applications, and various other types of software. Ability to utilize computer software and automated systems to perform record checks, record urinalysis results, compile criminal history information, and similar activities. Skill in operating training equipment. Skill in interpreting and analyzing data from a variety of investigative databases.

**Factor 2 - Primary Job Focus and Scope**

The primary focus of the job is to fulfill statutory requirements to investigate and supervise offenders/defendants, make recommendations to the court, evaluate needs and conditions, and maximize compliance for the purpose of ensuring community safety. Sentencing Guidelines Specialists' work assists officers and the court by providing expert guidance during the preparation of reports and when developing proper sentencing recommendations regarding defendants. Incumbents' specialized knowledge and training provided within the court and the community helps to ensure a clear understanding by all concerned of the appropriateness of sentencing decisions. Proper sentencing recommendations to the court maximize the protection to the public.

**Factor 3 - Complexity and Decision Making**

The job involves making independent decisions within the context of professional standards, broad policies, and general goals. Sentencing Guidelines Specialists gather and analyze information to determine or recommend the best course of action. Investigations and completing a presentence report on defendants with a high profile status, involving an extensive criminal enterprise or criminal organization can be very complex and oftentimes extremely challenging. Assessing and applying the information regarding such matters can be difficult at times. Remaining current with developments regarding guidelines, statutory issues, and case law in this specialized area adds to its complexity. The incumbent requires minimal supervision in most areas. Officer specialists differ from line officer positions in that their jobs have greater complexity and require more extensive knowledge and responsibility in their area of specialization.

**Factor 4A - Interactions with Judiciary Contacts**

The primary judiciary contacts are other unit staff, judicial officers, peers in the field of sentencing guidelines, staff of other court units, the Administrative Office's General Counsel, and the U.S. Sentencing Commission for the purpose of conducting research and investigations, and maintaining accurate and up-to-date information for staff training and sentencing reports. Contact is maintained with other specialists in the sentencing and guidelines area within the circuit for the purpose of sharing information and discussing changes in the laws and regulations.

#### **Factor 4B - Interactions with External Contacts**

The primary external contacts are defendants and their families, other government agencies, U.S. Attorney's Office, U.S. Marshals, Bureau of Prisons, Parole Commission, attorneys, law enforcement officials, treatment providers, victims, and other members of the community for the purpose of investigating defendants' backgrounds, obtaining and verifying arrest information, drafting sentencing guidelines, and similar activities.

#### **Factor 5 - Work Environment and Physical Demands**

Work is performed in an office setting and in the community, and may be subject to variable hours, including nights and weekends. Work requires regular contact with persons who have violent backgrounds. These contacts may be made in both generally controlled office settings as well as in field situations; such as, unsafe neighborhoods or environments where illegal activities and violence may occur. Travel within and outside the district is required.